

1                   **RENAME UTAH STATE UNIVERSITY - COLLEGE OF**  
2   **EASTERN UTAH**

3   2013 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: David P. Hinkins**

6   House Sponsor: Jerry B. Anderson

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7  
8 **LONG TITLE**

9 **General Description:**

10                   This bill modifies the Utah Code to change the name of Utah State University - College  
11 of Eastern Utah to Utah State University Eastern.

12 **Highlighted Provisions:**

13                   This bill:

14                   ▶ modifies the Utah Code to change the name of Utah State University - College of  
15 Eastern Utah to Utah State University Eastern.

16 **Money Appropriated in this Bill:**

17                   None

18 **Other Special Clauses:**

19                   None

20 **Utah Code Sections Affected:**

21 **AMENDS:**

22                   **53A-15-202**, as last amended by Laws of Utah 2010, Chapter 211

23                   **53B-1-103**, as last amended by Laws of Utah 2010, Chapter 211

24                   **53B-2a-103**, as last amended by Laws of Utah 2010, Chapters 211 and 286

25                   **53B-8-101**, as last amended by Laws of Utah 2010, Chapter 211

26                   **53B-16-207**, as last amended by Laws of Utah 2010, Chapter 211

27                   **53B-16-208**, as last amended by Laws of Utah 2010, Chapter 211



- 28           **53B-18-1201**, as enacted by Laws of Utah 2010, Chapter 211
- 29           **63B-2-301**, as last amended by Laws of Utah 2008, Chapter 382
- 30           **63B-4-201**, as last amended by Laws of Utah 2009, Chapter 344
- 31           **63B-5-102 (Effective 05/01/13)**, as last amended by Laws of Utah 2012, Chapter 347
- 32           **63B-5-201**, as last amended by Laws of Utah 2005, Chapter 148
- 33           **63B-7-502**, as last amended by Laws of Utah 2001, Chapter 9
- 34           **63B-16-401**, as enacted by Laws of Utah 2007, Chapter 174

35  
36 *Be it enacted by the Legislature of the state of Utah:*

37           Section 1. Section **53A-15-202** is amended to read:

38           **53A-15-202. Powers of the board.**

39           The State Board of Education:

40           (1) shall establish minimum standards for career and technical education programs in  
41 the public education system;

42           (2) may apply for, receive, administer, and distribute funds made available through  
43 programs of federal and state governments to promote and aid career and technical education;

44           (3) shall cooperate with federal and state governments to administer programs which  
45 promote and maintain career and technical education;

46           (4) shall cooperate with the Utah College of Applied Technology, Salt Lake  
47 Community College's School of Applied Technology, Snow College, and [~~Utah State~~  
48 ~~University-College of Eastern Utah~~] Utah State University Eastern to ensure that students in  
49 the public education system have access to career and technical education at Utah College of  
50 Applied Technology campuses, Salt Lake Community College's School of Applied  
51 Technology, Snow College, and [~~Utah State University-College of Eastern Utah~~] Utah State  
52 University Eastern;

53           (5) shall require that before a minor student may participate in clinical experiences as  
54 part of a health care occupation program at a high school or other institution to which the  
55 student has been referred, the student's parent or legal guardian has:

56           (a) been first given written notice through appropriate disclosure when registering and  
57 prior to participation that the program contains a clinical experience segment in which the  
58 student will observe and perform specific health care procedures that may include personal

59 care, patient bathing, and bathroom assistance; and

60 (b) provided specific written consent for the student's participation in the program and  
61 clinical experience; and

62 (6) shall, after consulting with school districts, charter schools, the Utah College of  
63 Applied Technology, Salt Lake Community College's School of Applied Technology, Snow  
64 College, and [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern,  
65 prepare and submit an annual report to the governor and to the Legislature's Education Interim  
66 Committee by October 31 of each year detailing:

67 (a) how the career and technical education needs of secondary students are being met;  
68 and

69 (b) what access secondary students have to programs offered:

70 (i) at applied technology colleges; and

71 (ii) within the regions served by Salt Lake Community College's School of Applied  
72 Technology, Snow College, and [~~Utah State University-College of Eastern Utah~~] Utah State  
73 University Eastern.

74 Section 2. Section **53B-1-103** is amended to read:

75 **53B-1-103. Establishment of State Board of Regents -- Powers and authority.**

76 (1) There is established a State Board of Regents.

77 (2) (a) Except as provided in Subsection (2)(b), the board is vested with the control,  
78 management, and supervision of the institutions of higher education designated in Section  
79 53B-1-102 in a manner consistent with the policy and purpose of this title and the specific  
80 powers and responsibilities granted to it.

81 (b) The board may only exercise powers relating to the Utah College of Applied  
82 Technology and its college campuses that are specifically provided in this title.

83 (c) The board shall coordinate and support articulation agreements between the Utah  
84 College of Applied Technology and other institutions of higher education.

85 (d) The board shall prepare and submit an annual report detailing its progress and  
86 recommendations on career and technical education issues to the governor and to the  
87 Legislature's Education Interim Committee by October 31 of each year, which shall include  
88 information detailing:

89 (i) how the career and technical education needs of secondary students are being met

90 by institutions of higher education other than the Utah College of Applied Technology,  
 91 including what access secondary students have to programs offered by Salt Lake Community  
 92 College's School of Applied Technology, Snow College, and [~~Utah State University-College of~~  
 93 ~~Eastern Utah~~] Utah State University Eastern;

94 (ii) how the emphasis on high demand, high wage, and high skill jobs in business and  
 95 industry is being provided;

96 (iii) performance outcomes, including:

97 (A) entered employment;

98 (B) job retention; and

99 (C) earnings; and

100 (iv) student tuition and fees.

101 (e) Except for the Utah College of Applied Technology, the board may modify the  
 102 name of an institution under its control and management, as designated in Section 53B-1-102,  
 103 to reflect the role and general course of study of the institution.

104 (f) The board may not conduct a feasibility study or perform another act relating to  
 105 merging any of the following institutions with another institution of higher education:

106 (i) the Bridgerland Applied Technology College Campus;

107 (ii) the Ogden-Weber Applied Technology College Campus;

108 (iii) the Davis Applied Technology College Campus;

109 (iv) the Tooele Applied Technology College Campus;

110 (v) the Mountainland Applied Technology College Campus;

111 (vi) the Uintah Basin Applied Technology College Campus;

112 (vii) the Southwest Applied Technology College Campus; and

113 (viii) the Dixie Applied Technology College Campus.

114 (3) This section does not affect the power and authority vested in the State Board of  
 115 Education to apply for, accept, and manage federal appropriations for the establishment and  
 116 maintenance of career and technical education.

117 Section 3. Section **53B-2a-103** is amended to read:

118 **53B-2a-103. Utah College of Applied Technology Board of Trustees --**

119 **Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees --**

120 **Compensation.**

121 (1) There is created the Utah College of Applied Technology Board of Trustees,  
122 composed of the following members:

123 (a) one member of the State Board of Education appointed by the chair of the State  
124 Board of Education, to serve as a nonvoting member;

125 (b) one member of the State Board of Regents appointed by the chair of the State  
126 Board of Regents, to serve as a nonvoting member;

127 (c) one member representing business and industry employers from the campus board  
128 of directors of each applied technology college campus appointed by a majority vote of the  
129 business and industry employer members of the campus board;

130 (d) one member representing business and industry employers from the Snow College  
131 career and technical education advisory committee appointed by a majority of the business and  
132 industry members of the advisory committee;

133 (e) one member representing business and industry employers from the [~~Utah State~~  
134 ~~University-College of Eastern Utah~~] Utah State University Eastern career and technical  
135 education advisory committee appointed by a majority of the business and industry employer  
136 members of the advisory committee;

137 (f) one member representing business and industry employers from the Salt Lake  
138 Community College School of Applied Technology Board of Directors appointed by a majority  
139 of the business and industry employer members of the board of directors;

140 (g) one business or industry employer representative appointed by the governor with  
141 the consent of the Senate from nominations submitted by the speaker of the House of  
142 Representatives and president of the Senate;

143 (h) one representative of union craft, trade, or apprenticeship programs that prepare  
144 workers for employment in career and technical education fields, appointed by the governor  
145 with the consent of the Senate;

146 (i) one representative of non-union craft, trade, or apprenticeship programs that prepare  
147 workers for employment in career and technical education fields, appointed by the governor  
148 with the consent of the Senate;

149 (j) the commissioner of higher education; and

150 (k) the executive director of the Governor's Office of Economic Development or the  
151 executive director's designee.

152 (2) (a) In making appointments to the board of trustees, the governor shall consider:

153 (i) individuals from the state at large with due consideration for geographical

154 representation;

155 (ii) individuals recognized for their knowledge and expertise; and

156 (iii) individuals who represent current and emerging business and industry sectors of  
157 the state.

158 (b) Appointments to the board shall be made on a nonpartisan basis.

159 (3) (a) Except as provided under Subsection (3)(b), members of the board of trustees  
160 shall be appointed commencing on July 1 of each odd-numbered year to a four-year term.

161 (b) Initial terms of the board members beginning on July 1, 2009 shall be staggered  
162 with two-year and four-year terms so that approximately one-half of the members' terms will  
163 expire in any odd-numbered year.

164 (c) An appointed member holds office until a successor is appointed and qualified.

165 (4) When a vacancy occurs in the membership for any reason, the replacement shall be  
166 appointed for the unexpired term.

167 (5) (a) Each member shall take the official oath of office prior to assuming the office.

168 (b) The oath shall be filed with the Division of Archives and Records Services.

169 (6) The board of trustees shall elect a chair and vice chair, who serve for two years and  
170 until their successors are elected and qualified.

171 (7) (a) The board of trustees may enact bylaws for its own government, including  
172 provision for regular meetings.

173 (b) (i) The board of trustees may provide for an executive committee in its bylaws.

174 (ii) If established, the committee shall have full authority of the board of trustees to act  
175 upon routine matters during the interim between board of trustees meetings.

176 (iii) The committee may act on nonroutine matters only under extraordinary and  
177 emergency circumstances.

178 (iv) The committee shall report its activities to the board of trustees at its next regular  
179 meeting following the action.

180 (8) A quorum shall be required to conduct business which shall consist of a majority of  
181 voting board of trustee members.

182 (9) The board of trustees may establish advisory committees.

183 (10) A member may not receive compensation or benefits for the member's service, but  
184 may receive per diem and travel expenses in accordance with:

185 (a) Section 63A-3-106;

186 (b) Section 63A-3-107; and

187 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
188 63A-3-107.

189 Section 4. Section **53B-8-101** is amended to read:

190 **53B-8-101. Waiver of tuition.**

191 (1) (a) The president of each institution may waive all or part of the tuition in behalf of  
192 meritorious or impecunious resident students to an amount not exceeding 10% of the total  
193 amount of tuition which, in the absence of the waivers, would have been collected from all  
194 Utah resident students at the institution.

195 (b) Two and a half percent of the waivers designated in Subsection (1)(a) shall be set  
196 aside for members of the Utah National Guard. Waivers shall be preserved by the student at  
197 least 60 days before the beginning of an academic term.

198 (2) (a) Each academic year the president of each of the following institutions may  
199 waive all or part of the resident portion of the tuition in behalf of the additional number of  
200 meritorious nonresident students set forth below who are not current recipients of the waiver:

201 (i) the University of Utah president may grant up to 190 waivers;

202 (ii) the Utah State University president may grant up to 183 waivers, 18 of which shall  
203 be awarded to students at [~~Utah State University-College of Eastern Utah~~] Utah State  
204 University Eastern;

205 (iii) the Weber State University president may grant up to 135 waivers;

206 (iv) the Southern Utah University president may grant up to 68 waivers;

207 (v) the Snow College president may grant up to 18 waivers;

208 (vi) the Dixie State College of Utah president may grant up to 30 waivers;

209 (vii) the Utah Valley University president may grant up to 114 waivers; and

210 (viii) the Salt Lake Community College president may grant up to 43 waivers.

211 (b) (i) A president may continue to waive the resident portion of the tuition during the  
212 entire time the affected meritorious nonresident student remains an undergraduate student in  
213 good standing at the institution.

214 (ii) The resident portion of the tuition for each nonresident student is equal to the  
215 tuition for resident students at the institution.

216 (c) A president may waive the nonresident portion of tuition for a meritorious  
217 nonresident student receiving a waiver under Subsection (2)(a) after completion of the student's  
218 first year of full-time study at the institution.

219 (d) (i) In addition to the waivers authorized by Subsections (2)(a) and (c), a president  
220 may waive all or part of the nonresident portion of tuition for a meritorious nonresident student  
221 during the student's first year of full-time study at the institution.

222 (ii) The number of these nonresident waivers for each institution is limited to the  
223 percentage of nonresident students at each institution times the nonresident student number  
224 allowed under Subsection (2)(a).

225 (3) Upon recommendation of the board, a president may grant additional full or partial  
226 tuition waivers to encourage students to enroll for instruction in occupations critical to the state  
227 for which trained personnel are in short supply.

228 (4) A president may waive all or part of the difference between resident and  
229 nonresident tuition in the case of meritorious graduate students and nonresident summer school  
230 students.

231 (5) The board shall submit annual budget appropriation requests for each institution  
232 which include requests for funds sufficient in amount to equal the estimated loss of dedicated  
233 credits that would be realized if all of the tuition waivers authorized by Subsection (2) were  
234 granted.

235 Section 5. Section **53B-16-207** is amended to read:

236 **53B-16-207. Utah State University Eastern -- Career and technical education --**  
237 **Supervision and administration -- Transition -- Institutional mission.**

238 (1) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern  
239 shall:

240 (a) maintain a strong curriculum in career and technical education courses at its  
241 campus and within the region it serves which can be transferred to other institutions within the  
242 higher education system, together with lower division courses and courses required for  
243 associate degrees in science, arts, applied science, and career and technical education;

244 (b) work with school districts and charter schools in developing an aggressive

245 concurrent enrollment program; and

246 (c) provide for open-entry, open-exit competency-based career and technical education  
247 programs, at a low cost tuition rate for adults and at no tuition cost to secondary students, that  
248 emphasize short-term job training or retraining for immediate placement in the job market and  
249 serve the geographic area encompassing:

- 250 (i) the Carbon School District;
- 251 (ii) the Emery School District;
- 252 (iii) the Grand School District; and
- 253 (iv) the San Juan School District.

254 (2) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern may  
255 not exercise any jurisdiction over career and technical education provided by a school district  
256 or charter school independently of [~~Utah State University-College of Eastern Utah~~] Utah State  
257 University Eastern.

258 (3) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern shall  
259 report to the State Board of Regents annually on:

260 (a) the status of and maintenance of the effort for career and technical education in the  
261 region served by [~~Utah State University-College of Eastern Utah~~] Utah State University  
262 Eastern, including access to open-entry, open-exit competency-based career and technical  
263 education programs; and

264 (b) student tuition and fees.

265 (4) Legislative appropriations to [~~Utah State University-College of Eastern Utah~~] Utah  
266 State University Eastern career and technical education shall be made as line items that are  
267 separate from other appropriations for [~~Utah State University-College of Eastern Utah~~] Utah  
268 State University Eastern.

269 Section 6. Section **53B-16-208** is amended to read:

270 **53B-16-208. Utah State University Eastern -- Career and technical education**  
271 **advisory committee -- Membership -- Duties.**

272 (1) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern shall  
273 have a career and technical education advisory committee composed of the following 11  
274 members:

275 (a) one elected local school board member appointed by the board of education for the

276 Carbon School District;

277 (b) one elected local school board member appointed by the board of education for the

278 Emery School District;

279 (c) one elected local school board member appointed by the board of education for the

280 Grand School District;

281 (d) one elected local school board member appointed by the board of education for the

282 San Juan School District;

283 (e) one member of the [~~Utah State University-College of Eastern Utah~~] Utah State

284 University Eastern Regional Advisory Council appointed by the chancellor of [~~Utah State~~

285 ~~University-College of Eastern Utah~~] Utah State University Eastern; and

286 (f) six representatives of business or industry within the region appointed by the

287 chancellor of [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern

288 from members of the program advisory committees overseeing career and technical education

289 in the region.

290 (2) The career and technical education advisory committee shall:

291 (a) after consulting with [~~Utah State University-College of Eastern Utah~~] Utah State

292 University Eastern, school districts, and charter schools within its region, prepare a

293 comprehensive strategic plan for delivering career and technical education within its region;

294 (b) make recommendations regarding what skills are needed for employment in Utah

295 businesses and industries;

296 (c) recommend programs based upon the information gathered in accordance with

297 Subsection (2)(b);

298 (d) review annual program evaluations;

299 (e) provide counsel, support, and recommendations for updating and improving the

300 effectiveness of career and technical education programs and services, including expedited

301 program approval and termination of procedures, consistent with Board of Regents' policy;

302 (f) monitor program advisory committees and other advisory groups to provide

303 counsel, support, and recommendations for updating and improving the effectiveness of

304 training programs and services; and

305 (g) coordinate with local school boards, districts, and charter schools to meet the career

306 and technical education needs of secondary students.

307 Section 7. Section **53B-18-1201** is amended to read:

308 **53B-18-1201. Utah State University Eastern.**

309 (1) (a) There is established a comprehensive regional college of Utah State University  
310 called [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern.

311 (b) Utah State University shall:

312 (i) possess all rights, title, privileges, powers, immunities, franchises, endowments,  
313 property, and claims of the College of Eastern Utah; and

314 (ii) fulfill and perform all obligations of [~~the College of Eastern Utah~~] Utah State  
315 University Eastern, including obligations relating to outstanding bonds and notes.

316 (2) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern  
317 contains campuses in the following locations:

318 (a) Price, Utah; and

319 (b) Blanding, Utah.

320 (3) (a) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern  
321 is under the authority and direction of the Utah State University president and Utah State  
322 University board of trustees.

323 (b) (i) The governor shall appoint nine individuals to the Utah State University board  
324 of trustees with the consent of the Senate.

325 (ii) One of the nine individuals described in Subsection (3)(b)(i) shall reside in the  
326 [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern service region.

327 (c) The board shall establish a policy defining the service region.

328 (4) (a) [~~Utah State University-College of Eastern Utah~~] Utah State University Eastern  
329 shall be administered by a chancellor.

330 (b) The chancellor of [~~Utah State University-College of Eastern Utah~~] Utah State  
331 University Eastern is appointed by the president of Utah State University and reports directly to  
332 the president of Utah State University.

333 (5) (a) The president of Utah State University shall appoint a regional advisory council  
334 to advise the president and chancellor regarding local issues relating to the college.

335 (b) The chancellor shall provide the Utah State University president with  
336 recommendations for the regional advisory council.

337 (c) The regional advisory council:

338 (i) shall include the [~~Utah State University-College of Eastern Utah~~] Utah State  
339 University Eastern Student Association president; and

340 (ii) may include:

341 (A) residents of the counties in the [~~Utah State University-College of Eastern Utah~~]  
342 Utah State University Eastern service region, as defined by board policy; and

343 (B) alumni of [~~the College of Eastern Utah~~] Utah State University Eastern.

344 (6) Utah State University Eastern is the legal entity that was formerly known as Utah  
345 State University - College of Eastern Utah. Utah State University - College of Eastern Utah  
346 was the legal entity that was formerly known as College of Eastern Utah.

347 Section 8. Section **63B-2-301** is amended to read:

348 **63B-2-301. Legislative intent -- Additional projects.**

349 It is the intent of the Legislature that:

350 (1) The Department of Employment Security use money in the special administrative  
351 fund to plan, design, and construct a Davis County facility under the supervision of the director  
352 of the Division of Facilities Construction and Management unless supervisory authority is  
353 delegated by him as authorized by Section 63A-5-206.

354 (2) The University of Utah may use donated funds to plan, design, and construct the  
355 Nora Eccles Harrison addition under the supervision of the director of the Division of Facilities  
356 Construction and Management unless supervisory authority is delegated by him as authorized  
357 by Section 63A-5-206.

358 (3) The University of Utah may use hospital funds to plan, design, and construct the  
359 West Patient Services Building under the supervision of the director of the Division of  
360 Facilities Construction and Management unless supervisory authority is delegated by him as  
361 authorized by Section 63A-5-206.

362 (4) The University of Utah may use federal funds to plan, design, and construct the  
363 Computational Science Building under the supervision of the director of the Division of  
364 Facilities Construction and Management unless supervisory authority is delegated by him as  
365 authorized by Section 63A-5-206.

366 (5) The Board of Regents may issue revenue bonds to provide:

367 (a) \$6,700,000 to plan, design, and construct single student housing at Utah State  
368 University under the supervision of the director of the Division of Facilities Construction and

369 Management unless supervisory authority is delegated by him as authorized by Section  
370 63A-5-206; and

371 (b) additional money necessary to:

372 (i) pay costs incident to the issuance and sale of the bonds;

373 (ii) pay interest on the bonds that accrues during construction and acquisition of the  
374 project and for up to one year after construction is completed; and

375 (iii) fund any reserve requirements for the bonds.

376 (6) Utah State University may use federal funds to plan, design, and construct the  
377 Natural Resources Lab addition under the supervision of the director of the Division of  
378 Facilities Construction and Management unless supervisory authority is delegated by him as  
379 authorized by Section 63A-5-206.

380 (7) Utah State University may use funds derived from property sales to plan, design,  
381 and construct emergency relocation facilities for the Farmington Botanical Gardens under the  
382 supervision of the director of the Division of Facilities Construction and Management unless  
383 supervisory authority is delegated by him as authorized by Section 63A-5-206.

384 (8) Utah State University may use institutional funds to plan, design, and construct an  
385 institutional residence for the president under the supervision of the director of the Division of  
386 Facilities Construction and Management unless supervisory authority is delegated by him as  
387 authorized by Section 63A-5-206.

388 (9) Weber State University may use discretionary funds to construct a remodel and  
389 expansion of the stores building and mail service facilities under the supervision of the director  
390 of the Division of Facilities Construction and Management unless supervisory authority is  
391 delegated by him as authorized by Section 63A-5-206.

392 (10) Weber State University may use fees and auxiliary revenue to plan, design, and  
393 construct a remodel and expansion of the Shepherd Student Union Building under the  
394 supervision of the director of the Division of Facilities Construction and Management unless  
395 supervisory authority is delegated by him as authorized by Section 63A-5-206.

396 (11) Southern Utah University may use donated funds to plan, design, and construct an  
397 alumni house under the supervision of the director of the Division of Facilities Construction  
398 and Management unless supervisory authority is delegated by him as authorized by Section  
399 63A-5-206.

400 (12) [~~The College of Eastern Utah~~] Utah State University Eastern may use auxiliary  
401 revenues and other fees to:

- 402 (a) make lease or other payments;
- 403 (b) redeem revenue bonds or repay loans issued on behalf of the college; and
- 404 (c) plan, design, and construct a 200 person residence hall under the supervision of the  
405 director of the Division of Facilities Construction and Management unless supervisory  
406 authority is delegated by him as authorized by Section 63A-5-206.

407 (13) The Sevier Valley Applied Technology Center may use private and Community  
408 Impact Board funds, if approved, to plan, design, and construct a performing arts/multi-use  
409 facility under the supervision of the director of the Division of Facilities Construction and  
410 Management unless supervisory authority is delegated by him as authorized by Section  
411 63A-5-206.

412 (14) Ogden City and Weber County may have offices and related space for their  
413 attorneys included in the Ogden Courts building if the city and county are able to provide  
414 upfront funding to cover all costs associated with the design and construction of that space. In  
415 addition, the city and county shall cover their proportionate share of all operations and  
416 maintenance costs of their facility, including future major repairs to the building.

417 (15) If the Legislature authorizes the Division of Facilities Construction and  
418 Management to enter into a lease purchase agreement for the Department of Human Services  
419 facility at 1385 South State Street in Salt Lake City or for the State Board of Education facility  
420 and adjacent space in Salt Lake City, or for both of those facilities, the State Building  
421 Ownership Authority, at the reasonable rates and amounts it may determine, and with technical  
422 assistance from the state treasurer, the director of the Division of Finance, and the director of  
423 the Governor's Office of Planning and Budget, may seek out the most cost effective lease  
424 purchase plans available to the state and may, pursuant to Title 63B, Chapter 1, Part 3, State  
425 Building Ownership Authority Act, certificate out interests in, or obligations of the authority  
426 pertaining to:

- 427 (a) the lease purchase obligation; or
- 428 (b) lease rental payments under the lease purchase obligation.

429 (16) Salt Lake Community College may use donated funds to plan, design, and  
430 construct an amphitheater under the supervision of the director of the Division of Facilities

431 Construction and Management unless supervisory authority is delegated by him as authorized  
432 by Section 63A-5-206.

433 (17) For the Tax Commission building, that:

434 (a) All costs associated with the construction and furnishing of the Tax Commission  
435 building that are incurred before the issuance of the 1993 general obligation bonds be  
436 reimbursed by bond proceeds.

437 (b) The maximum amount of cost that may be reimbursed from the 1993 general  
438 obligation bond proceeds for the Tax Commission building and furnishings may not exceed  
439 \$14,230,000.

440 (c) This intent statement for Subsection (17) constitutes a declaration of official intent  
441 under Section 1.103-18 of the U.S. Treasury Regulations.

442 Section 9. Section **63B-4-201** is amended to read:

443 **63B-4-201. Legislative intent statements -- Capital facilities.**

444 (1) (a) It is the intent of the Legislature that the University of Utah use institutional and  
445 other funds to plan, design, and construct two campus child care centers under the supervision  
446 of the director of the Division of Facilities Construction and Management unless supervisory  
447 authority is delegated by the director.

448 (b) The university shall work with Salt Lake City and the surrounding neighborhood to  
449 ensure site compatibility for future recreational development by the city.

450 (2) It is the intent of the Legislature that the University of Utah use institutional funds  
451 to plan, design, and construct:

452 (a) the Union Parking structure under the supervision of the director of the Division of  
453 Facilities Construction and Management unless supervisory authority is delegated by the  
454 director;

455 (b) the stadium renovation under the supervision of the director of the Division of  
456 Facilities Construction and Management unless supervisory authority is delegated by the  
457 director;

458 (c) the Huntsman Cancer Institute under the supervision of the director of the Division  
459 of Facilities Construction and Management unless supervisory authority is delegated by the  
460 director;

461 (d) the Business Case Method Building under the supervision of the director of the

462 Division of Facilities Construction and Management unless supervisory authority is delegated  
463 by the director; and

464 (e) the Fine Arts Museum expansion under the supervision of the director of the  
465 Division of Facilities Construction and Management unless supervisory authority is delegated  
466 by the director.

467 (3) It is the intent of the Legislature that Utah State University use institutional funds to  
468 plan, design, and construct:

469 (a) a student health services facility under the supervision of the director of the  
470 Division of Facilities Construction and Management unless supervisory authority is delegated  
471 by the director;

472 (b) a women’s softball field under the supervision of the director of the Division of  
473 Facilities Construction and Management unless supervisory authority is delegated by the  
474 director;

475 (c) an addition to the Nutrition and Food Services Building under the supervision of  
476 the director of the Division of Facilities Construction and Management unless supervisory  
477 authority is delegated by the director; and

478 (d) a Human Resource Research Center under the supervision of the director of the  
479 Division of Facilities Construction and Management unless supervisory authority is delegated  
480 by the director.

481 (4) It is the intent of the Legislature that Weber State University use institutional funds  
482 to plan, design, and construct:

483 (a) a track renovation under the supervision of the director of the Division of Facilities  
484 Construction and Management unless supervisory authority is delegated by the director; and

485 (b) the Dee Events Center offices under the supervision of the director of the Division  
486 of Facilities Construction and Management unless supervisory authority is delegated by the  
487 director.

488 (5) It is the intent of the Legislature that Southern Utah University use:

489 (a) institutional funds to plan, design, and construct an institutional residence under the  
490 supervision of the director of the Division of Facilities Construction and Management unless  
491 supervisory authority is delegated by the director; and

492 (b) project revenues and other funds to plan, design, and construct the Shakespearean

493 Festival support facilities under the supervision of the director of the Division of Facilities  
494 Construction and Management unless supervisory authority is delegated by the director.

495 (6) It is the intent of the Legislature that Dixie College use institutional funds to plan,  
496 design, and construct an institutional residence under the supervision of the director of the  
497 Division of Facilities Construction and Management unless supervisory authority is delegated  
498 by the director.

499 (7) It is the intent of the Legislature that the Division of Forestry, Fire, and State Lands  
500 use federal and other funds to plan, design, and construct a wetlands enhancement facility  
501 under the supervision of the director of the Division of Facilities Construction and  
502 Management unless supervisory authority is delegated by the director.

503 (8) (a) As provided in Subsection 63A-5-209(2), the funds appropriated to the Project  
504 Reserve Fund may only be used for the award of contracts in excess of the construction budget  
505 if these funds are required to meet the intent of the project.

506 (b) It is the intent of the Legislature that:

507 (i) up to \$2,000,000 of the amount may be used to award the construction contract for  
508 the Ogden Court Building; and

509 (ii) the need for any funds remaining as of December 31, 1995 be reviewed by the 1996  
510 Legislature.

511 (9) (a) It is the intent of the Legislature that the State Building Ownership Authority,  
512 under authority of Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act, issue  
513 or execute obligations or enter into or arrange for a lease purchase agreement in which  
514 participation interests may be created to provide up to \$539,700 for the purchase and  
515 demolition of the Keyston property and construction of parking facilities adjacent to the State  
516 Office of Education Building in Salt Lake City, with additional amounts necessary to:

517 (i) pay costs of issuance;

518 (ii) pay capitalized interest; and

519 (iii) fund any debt service reserve requirements.

520 (b) It is the intent of the Legislature that the authority seek out the most cost effective  
521 and prudent lease purchase plan available with technical assistance from the state treasurer, the  
522 director of the Division of Finance, and the director of the Governor's Office of Planning and  
523 Budget.

524 (10) (a) It is the intent of the Legislature that the money appropriated for Phase One of  
525 the Remodeling/Life Safety Upgrades of the Browning Fine Arts Center at Weber State  
526 University is to include design of full code compliance, life safety, space necessary to maintain  
527 required programs, and seismic upgrades.

528 (b) The design shall identify the full scope and cost of Phase Two of the remodeling for  
529 funding consideration in the fiscal year 1997 budget cycle.

530 (11) It is the intent of the Legislature that:

531 (a) the fiscal year 1996 appropriation for the Davis County Higher Education land  
532 purchase includes up to \$250,000 for planning purposes;

533 (b) the Division of Facilities Construction and Management, the Board of Regents, and  
534 the assigned institution of higher education work jointly to ensure the following elements are  
535 part of the planning process:

536 (i) projections of student enrollment and programmatic needs for the next 10 years;

537 (ii) review and make recommendations for better use of existing space, current  
538 technologies, public/private partnerships, and other alternatives as a means to reduce the need  
539 for new facilities and still accommodate the projected student needs; and

540 (iii) use of a master plan that includes issues of utilities, access, traffic circulation,  
541 drainage, rights of way, future developments, and other infrastructure items considered  
542 appropriate; and

543 (c) every effort is used to minimize expenditures for this part until a definitive decision  
544 has been made by BRACC relative to Hill Air Force Base.

545 (12) (a) It is the intent of the Legislature that the State Building Ownership Authority,  
546 under authority of Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act, issue  
547 or execute obligations or enter into or arrange for a lease purchase agreement in which  
548 participation interests may be created, to provide up to \$7,400,000 for the acquisition and  
549 improvement of the Human Services Building located at 120 North 200 West, Salt Lake City,  
550 Utah, with associated parking for the Department of Human Services together with additional  
551 amounts necessary to:

552 (i) pay costs of issuance;

553 (ii) pay capitalized interest; and

554 (iii) fund any debt service reserve requirements.

555 (b) It is the intent of the Legislature that the authority seek out the most cost effective  
556 and prudent lease purchase plan available with technical assistance from the state treasurer, the  
557 director of the Division of Finance, and the director of the Governor's Office of Planning and  
558 Budget.

559 (13) (a) It is the intent of the Legislature that the State Building Ownership Authority,  
560 under authority of Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act, issue  
561 or execute obligations or enter into or arrange for a lease purchase agreement in which  
562 participation interests may be created to provide up to \$63,218,600 for the construction of a  
563 Salt Lake Courts Complex together with additional amounts necessary to:

- 564 (i) pay costs of issuance;  
565 (ii) pay capitalized interest; and  
566 (iii) fund any debt service reserve requirements.

567 (b) It is the intent of the Legislature that the authority seek out the most cost effective  
568 and prudent lease purchase plan available with technical assistance from the state treasurer, the  
569 director of the Division of Finance, and the director of the Governor's Office of Planning and  
570 Budget.

571 (c) It is the intent of the Legislature that the Division of Facilities Construction and  
572 Management lease land to the State Building Ownership Authority for the construction of a  
573 Salt Lake Courts Complex.

574 (14) It is the intent of the Legislature that:

575 (a) the Board of Regents use the higher education design project money to design no  
576 more than two higher education projects from among the following projects:

- 577 (i) [~~College of Eastern Utah~~] Utah State University Eastern - Student Center;  
578 (ii) Snow College - Noyes Building;  
579 (iii) University of Utah - Gardner Hall;  
580 (iv) Utah State University - Widtsoe Hall; or  
581 (v) Southern Utah University - Physical Education Building; and

582 (b) the higher education institutions that receive approval from the Board of Regents to  
583 design projects under this chapter design those projects under the supervision of the director of  
584 the Division of Facilities Construction and Management unless supervisory authority is  
585 delegated by the director.

586 (15) It is the intent of the Legislature that:

587 (a) the Board of Regents may authorize the University of Utah to use institutional  
588 funds and donated funds to design Gardner Hall; and

589 (b) if authorized by the Board of Regents, the University of Utah may use institutional  
590 funds and donated funds to design Gardner Hall under the supervision of the director of the  
591 Division of Facilities Construction and Management unless supervisory authority is delegated  
592 by the director.

593 (16) It is the intent of the Legislature that the Division of Facilities Construction and  
594 Management use up to \$250,000 of the capital improvement money to fund the site  
595 improvements required at the San Juan campus of [~~the College of Eastern Utah~~] Utah State  
596 University Eastern.

597 Section 10. Section **63B-5-102 (Effective 05/01/13)** is amended to read:

598 **63B-5-102 (Effective 05/01/13). Maximum amount -- Projects authorized.**

599 (1) The total amount of bonds issued under this part may not exceed \$32,000,000.

600 (2) (a) Proceeds from the issuance of bonds shall be provided to the division to provide  
601 funds to pay all or part of the cost of acquiring and constructing the projects listed in this  
602 Subsection (2).

603 (b) These costs may include the cost of acquiring land, interests in land, easements and  
604 rights-of-way, improving sites, and acquiring, constructing, equipping, and furnishing facilities  
605 and all structures, roads, parking facilities, utilities, and improvements necessary, incidental, or  
606 convenient to the facilities, interest estimated to accrue on these bonds during the period to be  
607 covered by construction of the projects plus a period of six months after the end of the  
608 construction period, and all related engineering, architectural, and legal fees.

609 (c) For the division, proceeds shall be provided for the following:

|     |  |             |
|-----|--|-------------|
| 610 | CAPITAL IMPROVEMENTS                   |             |
| 611 | Alterations, Repairs, and Improvements | \$7,600,000 |
| 612 | TOTAL IMPROVEMENTS                     | \$7,600,000 |

613 CAPITAL AND ECONOMIC DEVELOPMENT

| 614 | PROJECT DESCRIPTION   | AMOUNT FUNDED | ESTIMATED OPERATIONS AND MAINTENANCE COSTS |
|-----|---|---------------|--|
| 615 | Corrections - Gunnison (192 Beds)   | \$13,970,000  | \$210,000                                  |
| 616 | University of Utah -- Gardner Hall  | \$7,361,000   | \$203,900                                  |
| 617 | Weber State University Davis Campus -- Land Purchase  | \$771,000     | None                                       |
| 618 | Department of Workforce Services Cedar City -- Land Purchase  | \$148,000     | None                                       |
| 619 | <del>[College of Eastern Utah]</del> <u>Utah State University Eastern Durrant School</u> -- Land Purchase | \$400,000     | None                                       |
| 620 | State Hospital - Forensic Design (200 beds)   | \$750,000     | \$575,000                                  |
| 621 | TOTAL CAPITAL AND ECONOMIC DEVELOPMENT  | \$23,400,000  |  |
| 622 | TOTAL IMPROVEMENTS AND CAPITAL AND ECONOMIC DEVELOPMENT   | \$31,000,000  |  |

- 623 (d) For purposes of this section, operations and maintenance costs:
- 624 (i) are estimates only;
- 625 (ii) may include any operations and maintenance costs already funded in existing
- 626 agency budgets; and
- 627 (iii) are not commitments by this Legislature or future Legislatures to fund those
- 628 operations and maintenance costs.
- 629 (3) (a) The amounts funded as listed in Subsection (2) are estimates only and do not
- 630 constitute a limitation on the amount that may be expended for any project.
- 631 (b) The board may revise these estimates and redistribute the amount estimated for a
- 632 project among the projects authorized.
- 633 (c) The commission, by resolution and in consultation with the board, may delete one

634 or more projects from this list if the inclusion of that project or those projects in the list could  
635 be construed to violate state law or federal law or regulation.

636 (4) (a) The division may enter into agreements related to these projects before the  
637 receipt of proceeds of bonds issued under this chapter.

638 (b) The division shall make those expenditures from unexpended and unencumbered  
639 building funds already appropriated to the Capital Projects Fund.

640 (c) The division shall reimburse the Capital Projects Fund upon receipt of the proceeds  
641 of bonds issued under this chapter.

642 (d) The commission may, by resolution, make any statement of intent relating to that  
643 reimbursement that is necessary or desirable to comply with federal tax law.

644 (5) (a) For those projects for which only partial funding is provided in Subsection (2),  
645 it is the intent of the Legislature that the balance necessary to complete the projects be  
646 addressed by future Legislatures, either through appropriations or through the issuance or sale  
647 of bonds.

648 (b) For those phased projects, the division may enter into contracts for amounts not to  
649 exceed the anticipated full project funding but may not allow work to be performed on those  
650 contracts in excess of the funding already authorized by the Legislature.

651 (c) Those contracts shall contain a provision for termination of the contract for the  
652 convenience of the state as required by Section 63G-6a-1202.

653 (d) It is also the intent of the Legislature that this authorization to the division does not  
654 bind future Legislatures to fund projects initiated from this authorization.

655 Section 11. Section **63B-5-201** is amended to read:

656 **63B-5-201. Legislative intent statements.**

657 (1) If the United States Department of Defense has not provided matching funds to  
658 construct the National Guard Armory in Orem by December 31, 1997, the Division of Facilities  
659 Construction and Management shall transfer any funds received from issuance of a General  
660 Obligation Bond for benefit of the Orem Armory to the Provo Armory for capital  
661 improvements.

662 (2) It is the intent of the Legislature that the University of Utah use institutional funds  
663 to plan, design, and construct:

664 (a) the Health Science East parking structure under the supervision of the director of

665 the Division of Facilities Construction and Management unless supervisory authority is  
666 delegated by the director;

667 (b) the Health Science Office Building under the supervision of the director of the  
668 Division of Facilities Construction and Management unless supervisory authority is delegated  
669 by the director; and

670 (c) the new Student Housing/Olympic Athletes Village under the supervision of the  
671 director of the Division of Facilities Construction and Management unless supervisory  
672 authority is delegated by the director.

673 (3) It is the intent of the Legislature that Utah State University use institutional funds to  
674 plan, design, and construct a multipurpose facility under the supervision of the director of the  
675 Division of Facilities Construction and Management unless supervisory authority is delegated  
676 by the director.

677 (4) It is the intent of the Legislature that the Utah Geologic Survey use agency internal  
678 funding to plan, design, and construct a sample library facility under the supervision of the  
679 director of the Division of Facilities Construction and Management unless supervisory  
680 authority is delegated by the director.

681 (5) (a) If legislation introduced in the 1996 General Session to fund the Wasatch State  
682 Park Club House does not pass, the State Building Ownership Authority, under authority of  
683 Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act, may issue or execute  
684 obligations, or enter into or arrange for a lease purchase agreement in which participation  
685 interests may be created, to provide up to \$1,500,000 for the remodel and expansion of the  
686 clubhouse at Wasatch Mountain State Park for the Division of Parks and Recreation, together  
687 with additional amounts necessary to:

688 (i) pay costs of issuance;  
689 (ii) pay capitalized interest; and  
690 (iii) fund any debt service reserve requirements.

691 (b) The State Building Ownership Authority shall work cooperatively with the  
692 Division of Parks and Recreation to seek out the most cost effective and prudent lease purchase  
693 plan available.

694 (6) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter  
695 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter

696 into or arrange for a lease purchase agreement in which participation interests may be created,  
697 to provide up to \$835,300 for the construction of a liquor store in the Snyderville area, together  
698 with additional amounts necessary to:

- 699 (i) pay costs of issuance;
- 700 (ii) pay capitalized interest; and
- 701 (iii) fund any debt service reserve requirements.

702 (b) The State Building Ownership Authority shall work cooperatively with the  
703 Department of Alcoholic Beverage Control to seek out the most cost effective and prudent  
704 lease purchase plan available.

705 (7) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter  
706 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
707 into or arrange for a lease purchase agreement in which participation interests may be created,  
708 to provide up to \$15,000,000 for the construction of the Huntsman Cancer Institute, together  
709 with additional amounts necessary to:

- 710 (i) pay costs of issuance;
- 711 (ii) pay capitalized interest; and
- 712 (iii) fund any debt service reserve requirements.

713 (b) The State Building Ownership Authority shall work cooperatively with the  
714 University of Utah to seek out the most cost effective and prudent lease purchase plan  
715 available.

716 (c) It is the intent of the Legislature that the University of Utah lease land to the State  
717 Building Ownership Authority for the construction of the Huntsman Cancer Institute facility.

718 (8) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter  
719 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
720 into or arrange for a lease purchase agreement in which participation interests may be created,  
721 to provide up to \$857,600 for the construction of an addition to the Human Services facility in  
722 Vernal, Utah together with additional amounts necessary to:

- 723 (i) pay costs of issuance;
- 724 (ii) pay capitalized interest; and
- 725 (iii) fund any debt service reserve requirements.

726 (b) The State Building Ownership Authority shall work cooperatively with the

727 Department of Human Services to seek out the most cost effective and prudent lease purchase  
728 plan available.

729 (9) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter  
730 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
731 into or arrange for a lease purchase agreement in which participation interests may be created,  
732 to provide up to \$3,470,200 for the construction of the Student Services Center, at [~~the College~~  
733 ~~of Eastern Utah~~] Utah State University Eastern, together with additional amounts necessary to:

- 734 (i) pay costs of issuance;  
735 (ii) pay capitalized interest; and  
736 (iii) fund any debt service reserve requirements.

737 (b) The State Building Ownership Authority shall work cooperatively with [~~the College~~  
738 ~~of Eastern Utah~~] Utah State University Eastern to seek out the most cost effective and prudent  
739 lease purchase plan available.

740 (10) (a) Notwithstanding anything to the contrary in Title 53B, Chapter 21, Revenue  
741 Bonds, which prohibits the issuance of revenue bonds payable from legislative appropriations,  
742 the State Board of Regents, on behalf of Dixie College, may issue, sell, and deliver revenue  
743 bonds or other evidences of indebtedness of Dixie College to borrow money on the credit of  
744 the income and revenues, including legislative appropriations, of Dixie College, to finance the  
745 acquisition of the Dixie Center.

746 (b) (i) The bonds or other evidences of indebtedness authorized by this section shall be  
747 issued in accordance with Title 53B, Chapter 21, Revenue Bonds, under terms and conditions  
748 and in amounts that the board, by resolution, determines are reasonable and necessary and may  
749 not exceed \$6,000,000 together with additional amounts necessary to:

- 750 (A) pay cost of issuance;  
751 (B) pay capitalized interest; and  
752 (C) fund any debt service reserve requirements.

753 (ii) To the extent that future legislative appropriations will be required to provide for  
754 payment of debt service in full, the board shall ensure that the revenue bonds are issued  
755 containing a clause that provides for payment from future legislative appropriations that are  
756 legally available for that purpose.

757 (11) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter

758 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
759 into or arrange for a lease purchase agreement in which participation interests may be created,  
760 to provide up to \$10,479,000 for the construction of a facility for the Courts - Davis County  
761 Regional Expansion, together with additional amounts necessary to:

- 762 (i) pay costs of issuance;
- 763 (ii) pay capitalized interest; and
- 764 (iii) fund any debt service reserve requirements.

765 (b) The State Building Ownership Authority shall work cooperatively with the Office  
766 of the Court Administrator to seek out the most cost effective and prudent lease purchase plan  
767 available.

768 (12) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter  
769 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
770 into or arrange for a lease purchase agreement in which participation interests may be created,  
771 to provide up to \$4,200,000 for the purchase and remodel of the Washington County  
772 Courthouse, together with additional amounts necessary to:

- 773 (i) pay costs of issuance;
- 774 (ii) pay capitalized interest; and
- 775 (iii) fund any debt service reserve requirements.

776 (b) The State Building Ownership Authority shall work cooperatively with the Office  
777 of the Court Administrator to seek out the most cost effective and prudent lease purchase plan  
778 available.

779 (13) (a) The State Building Ownership Authority, under authority of Title 63B, Chapter  
780 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter  
781 into or arrange for a lease purchase agreement in which participation interests may be created,  
782 to provide up to \$14,299,700 for the construction of a facility for the State Library and the  
783 Division of Services for the Blind and Visually Impaired, together with additional amounts  
784 necessary to:

- 785 (i) pay costs of issuance;
- 786 (ii) pay capitalized interest; and
- 787 (iii) fund any debt service reserve requirements.

788 (b) The State Building Ownership Authority shall work cooperatively with the Office

789 of Education and the Governor's Office of Economic Development to seek out the most cost  
790 effective and prudent lease purchase plan available.

791 Section 12. Section **63B-7-502** is amended to read:

792 **63B-7-502. Other capital facility authorizations and intent language.**

793 (1) (a) It is the intent of the Legislature that if funding from General Obligation  
794 bonding is provided for construction of new facilities, the Division of Finance shall transfer  
795 any occupying agency funds that are currently being used for rent payments to the service fund  
796 for debt service on the bonds.

797 (b) The Division of Finance may not transfer agency funds for operation and  
798 maintenance costs, which will continue to be incurred by the occupying agency.

799 (2) It is the intent of the Legislature that Utah State University use institutional funds to  
800 plan, design, and construct the American West Heritage Center under the direction of the  
801 director of the Division of Facilities Construction and Management unless supervisory  
802 authority has been delegated.

803 (3) It is the intent of the Legislature that:

804 (a) Utah State University allow the construction of the Poisonous Plant Laboratory on  
805 state-owned property under the direction of the Federal Government with oversight by the  
806 director of the Division of Facilities Construction and Management and Utah State University  
807 as may be required; and

808 (b) no state funds be used for any portion of this project.

809 (4) It is the intent of the Legislature that:

810 (a) Weber State University use institutional funds to plan, design, and construct the  
811 Weight Training room addition under the direction of the director of the Division of Facilities  
812 Construction and Management unless supervisory authority has been delegated; and

813 (b) no state funds be used for any portion of this project.

814 (5) It is the intent of the Legislature that:

815 (a) [~~the College of Eastern Utah~~] Utah State University Eastern, San Juan campus, use  
816 institutional and other funds to plan, design, and construct the Arts and Conference Center  
817 under the direction of the director of the Division of Facilities Construction and Management  
818 unless supervisory authority has been delegated; and

819 (b) no state funds be used for any portion of this project.

820 (6) It is the intent of the Legislature that:

821 (a) the University of Utah allow the construction of a privately owned West Health  
822 Science Mixed Use Facility on state-owned land located at the main campus of the University,  
823 under the oversight of the director of the Division of Facilities Construction and Management;  
824 and

825 (b) no state funds be used for any portion of this project.

826 (7) It is the intent of the Legislature that the Division of Facilities Construction and  
827 Management use up to \$1,225,000 of the funds authorized for the Dead Horse Point Visitors  
828 Center project in Section 63B-6-102 for additional code upgrades and other critical repairs to  
829 the Dead Horse Point Visitors Center in addition to the modifications needed to meet the  
830 Americans with Disabilities Act requirements.

831 (8) It is the intent of the Legislature that:

832 (a) the Division of Facilities Construction and Management proceed with the design of  
833 the Physical Education Building at Southern Utah University;

834 (b) the design include the full project scope, excluding funds for the purchase of the  
835 middle school;

836 (c) the 1999 Legislature rank the Physical Education Building at Southern Utah  
837 University as the top-ranked capital facility project for full funding in the 1999 annual general  
838 session of the Legislature; and

839 (d) the Division of Facilities Construction and Management proceed with the bidding  
840 process for construction of this project.

841 Section 13. Section **63B-16-401** is amended to read:

842 **63B-16-401. Authorizations to acquire, sell, lease, or exchange property.**

843 (1) It is the intent of the Legislature that:

844 (a) the Southeast Applied Technology Campus of the Utah College of Applied  
845 Technology and [~~the College of Eastern Utah~~] Utah State University Eastern may cooperatively  
846 enter into negotiations with a nonstate entity and complete a real property exchange to acquire  
847 an applied technology facility in Price;

848 (b) no state funds be used for any portion of this project; and

849 (c) the college may request state funds for operations and maintenance costs and capital  
850 improvements to the extent that the college is able to demonstrate to the Board of Regents that

851 the facility meets approved academic and training purposes under Board of Regents policy  
852 R710.

853 (2) It is the intent of the Legislature that:

854 (a) the Mountainland Applied Technology Campus of the Utah College of Applied  
855 Technology may exercise its option to purchase additional property in northern Utah County  
856 adjacent to property purchased with the appropriation in Chapter 367, Item 41, Laws of Utah  
857 2006;

858 (b) the purchase be financed through donations, institutional funds, a land exchange  
859 involving Lehi City and the Utah Transit Authority, or some combination of donations,  
860 institutional funds, and a land exchange involving Lehi City and the Utah Transit Authority for  
861 future development of a commuter rail station;

862 (c) the purchase be conducted under the direction of the director of the Division of  
863 Facilities Construction and Management; and

864 (d) no state funds be used for any portion of this purchase.

865 (3) It is the intent of the Legislature that:

866 (a) the Department of Human Services Complex located at 120 North 200 West, Salt  
867 Lake City, Utah be sold for \$11,000,000;

868 (b) that the proceeds from the sale be used to:

869 (i) payoff the outstanding bond on the Human Services Complex;

870 (ii) purchase the Brigham Young University Salt Lake Center located at 3760 South  
871 Highland Drive, Salt Lake City, Utah for up to \$6,000,000 for occupancy by the Utah State  
872 Board of Education Schools for the Deaf and Blind; and

873 (iii) the remaining funds be used to remodel the Salt Lake Center; and

874 (c) the Division of Facilities, Construction and Management enter into a lease with the  
875 buyer of the Human Services Complex for and on behalf of the Department of Human Services  
876 that allows the Department of Human Services to continue to occupy the complex for the  
877 period of time needed for the state to purchase, construct, or lease a replacement facility for the  
878 Department of Human Services.

**Legislative Review Note**  
**as of 2-26-13 3:25 PM**

**Office of Legislative Research and General Counsel**